

1888, art. 54, sec. 22. 1860, art. 54, sec. 15. 1846, ch. 92.

**24.** In any matter pending in the land office in which the commissioner for the time being may have been counsel or may be interested or related to the parties and on that account incompetent to act, he shall certify the same in writing to the judges of the fifth judicial district, who shall thereupon hear and decide such case or appoint some person to do so, which decision shall have the same effect and be liable to the same incidents as the decision of the commissioner of the land office.

Ibid. sec. 23. 1860, art. 54, sec. 16. 1781, ch. 20, secs. 4, 8. 1874, ch. 354.

**25.** Any vacant land, whether cultivated or uncultivated, and any land which has escheated by reason of the last owner in fee simple dying intestate thereof and without heirs may be taken up by any person by complying with the provisions herein contained.

Ibid. sec. 24. 1860, art. 54, sec. 17. 1860, ch. 35. 1861, ch. 3. 1894, ch. 191.

**26.** Any person desiring to take up vacant land or lands which have escheated shall obtain a warrant from the commissioner of the land office directed to the surveyor of the county where the land lies, requiring him to survey the same and return a certificate of survey to the land office within six months from the date of the warrant, and such warrant may be in the form theretofore used in the land office and may be either a common warrant, a special warrant, a warrant of resurvey, proclamation warrant, or an escheat warrant which ever may be suited to the case of the party applying for the same.

Proprietary v. Jennings, 1 H. & McH. 92. Kelly's Lessee v. Greenfield, 2 H. & McH. 121. Garretson's Lessee v. Cole, 2 H. & McH. 459. Ringgold's Lessee v. Malott, 1 H. & J. 299. Attorney-General v. Snowden, 1 H. & J. 332. Hammond's Lessee v. Norris, 2 H. & J. 130. Cockey's Lessee v. Smith, 3 H. & J. 20. Mundell's Lessee v. Clerklee, 3 H. & J. 462. Ford v. Gwinn, 3 H. & J. 496. Canal Co. v. R. R. Co., 4 G. & J. 1. Steyer v. Hoyer, 12 G. & J. 202. Hoyer v. Johnston, 2 Gill, 291. Cunningham v. Browning, 1 Bl. 299. R. R. Co. v. Hoyer, 2 Bl. 258. Coombs v. Jordan, 3 Bl. 284. Hughlett's Case, 3 Bl. 474. Chapman v. Hoskins, 2 Md. Ch. 485.

Ibid. sec. 25. 1860, art. 54, sec. 18.

**27.** If the vacant land or land which has escheated lies partly in one county and partly in another, the warrant to survey the same may be directed to and executed by the surveyor of either county.